

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEITH S. BROWN,	:	Civil No. 1:21-CV-01828
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
SHANNON QUICLEY, <i>et al.</i> ,	:	
	:	
Defendants.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 19th day of September, 2022, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT:**

1. Defendants' motion to dismiss, Doc. 24, is **GRANTED in part** and **DENIED in part**.
2. Plaintiff's Eighth Amendment claim against Defendants Stanish and Iannuzzi is not dismissed.
3. Plaintiff's Eighth Amendment claim against Defendant Wellpath is dismissed without prejudice.
4. Plaintiff's Fourteenth Amendment claim against Defendant Stanish is dismissed without prejudice.
5. Plaintiff's medical negligence claim against Defendants Stanish and Iannuzzi is dismissed without prejudice.
6. Plaintiff's intentional infliction of emotional distress claim against Defendants Stanish and Iannuzzi is dismissed without prejudice.

7. Plaintiff may file an amended complaint against Defendants that corrects the deficiencies identified in the accompanying Memorandum within **twenty-one (21) days** of the date of this Order.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania